

RESOLUTION 32-2020

A RESOLUTION CONSENTING TO THE TEMPORARY EXPANSION REQUEST OF MICHAEL C. HAVENS DBA BOBS PLACE ("DOUGHBOYZ PIZZA AND PUB") TO SERVE ALCOHOL ON THE PUBLIC SIDEWALK IN FRONT OF 15 FRONT STREET, COMMERCIAL POINT, OHIO DURING THE COVID-19 EMERGENCY.

WHEREAS, the Ohio Department of Commerce, Division of Liquor Control, has instituted a program to allow certain restaurants and businesses who hold certain liquor permits to apply to the Division of Liquor Control to obtain a temporary expansion of their liquor permit premises to allow the restaurant or business to serve alcohol in outdoor areas, including on public sidewalks; and

WHEREAS, a restaurant or business applying for such a temporary expansion must obtain the consent of the legislative authority of the political subdivision in which the restaurant or business is located as part of its application to the Division of Liquor Control; and

WHEREAS, a restaurant or business applying for such a temporary expansion must also obtain the consent of the local board of health in whose jurisdiction the restaurant or business is located as part of its application to the Division of Liquor Control; and

WHEREAS, on March 9, 2020, the Governor of Ohio declared a state of emergency for the entire state of Ohio to protect the well-being of the citizens of Ohio from the effects of COVID-19, which included directed State agencies to develop and implement procedures, including suspending or adopting temporary rules within an agency's authority, consistent with recommendations from the Department of Health designed to prevent or alleviate the public health threat presented by COVID-19; and

WHEREAS, the Division of Liquor Control is approving such temporary expansion requests on an emergency basis to assist businesses in meeting social distancing requirements as a result of COVID-19; and

WHEREAS, such temporary expansion is to last only as long as the (1) the state of emergency declared by the Governor of Ohio on March 9, 2020 no longer exists; or (2) the Division of Liquor Control notifies the permit holder that the temporary expansion has expired or that the expansion has been approved for permanent use; and

WHEREAS, Michael C. Havens dba Bobs Place ("Doughboyz Pizza and Pub") has requested the Village Council to provide its consent as part of the Mr. Havens's application that the Village consents to his temporary expansion request for Liquor Permit Number 3674892 / Agency Number 00747.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO, THAT:

Section 1. The Village of Commercial Point hereby consents to Michael C. Havens dba Bobs Place / Doughboyz Pizza and Pub's use of the public sidewalk directly in front of 15 Front Street, Commercial Point, Ohio 43116, as described in greater detail in Exhibit A, attached hereto and incorporated herein by reference, for Mr. Havens's temporary expansion request to the Division of Liquor Control for the temporary expansion of the premises for Liquor Permit Number 3674892 / Agency Number 00747.

Section 2. In providing its consent to Mr. Havens's temporary expansion request to the Division of Liquor Control, the Village of Commercial Point retains the right to revoke its consent at any time, without notice or opportunity for a hearing before the Village Council or any other official or body of the Village of Commercial Point, by Resolution of the Village Council.

Section 3. Michael C. Havens dba Bobs Place / Doughboyz Pizza and Pub shall not provide alcohol sales on the public sidewalk until its temporary expansion request has been formally approved by the Division of Liquor Control and proof of such approval has been provided to the Mayor of the Village of Commercial Point.

Section 4. Except as otherwise provided herein, nothing in this Resolution shall be construed as an abrogation or amendment of any of the Codified Ordinances of the Village of Commercial Point, including, without limitation, Chapter 612 of the Codified Ordinances of the Village of Commercial Point.

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Section 5. Michael C. Havens dba Bobs Place/Doughboyz Pizza and Pub shall not provide alcohol sales on the public sidewalk except during the hours from 6:00 pm- 10:00 pm. Thursday – Saturday.

Section 6. This Resolution shall go into effect at the earliest date permitted by law.

Vote on Suspension of Readings:

Motion by: Bruce Moore

2nd: Aaron Grassel

Roll Call:

 Laura Wolfe Yes Aaron Grassel
Yes Bruce Moore Yes Ryan Mitchem

Yes Jason Thompson
Yes Tracy Joiner

Vote on Passage of the Resolution:

Motion by: Bruce Moore


2nd: Jason Thompson

Roll Call:

 Laura Wolfe Yes Aaron Grassel
Yes Bruce Moore No Ryan Mitchem

Yes Jason Thompson
Yes Tracy Joiner

Adopted this 21st day of September, 2020.


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer

Approved as to Form:


Joshua Cartee, Law Director

EXHIBIT A

POUGH BOYZ

ALL

Area
Porch
step
step

SIDE WALK

O

O

O

O

CURB

40' Front ST.

O-TABLES